

**Mary Midura**

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**From:** Mary Midura  
**Sent:** Tuesday, January 17, 2012 7:46 AM  
**To:** Mary Midura  
**Subject:** FW: Portland RCV - Doesn't Add Up  
**Attachments:** page1image6368.png; ATT00001.htm; Doesn't add up -Portland RCV.pdf; ATT00002.htm

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**From:** Terry Reilly [<mailto:twreilly@gmail.com>]  
**Sent:** Tuesday, December 13, 2011 11:12 PM  
**To:** Mary Midura  
**Subject:** Portland RCV - Doesn't Add Up

**PLEASE PROVIDE TO YOUR CHARTER REVIEW COMMITTEE:**

Portland, a very small town in Maine had their first RCV election. ~20,000 people voted. The "winner" received ~9,000 votes. More people voted against the new Mayor than for him. Here is a close look at the election, and the failed promises of RCV:

**Mary Midura**

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**From:** Mary Midura  
**Sent:** Tuesday, January 17, 2012 7:47 AM  
**To:** Mary Midura  
**Subject:** FW: Oakland an Example of Risk of Ranked-Choice Voting: "Reign of Error"  
**Attachments:** pastedGraphic.pdf; ATT00001.htm; pastedGraphic\_1.pdf; ATT00002.htm

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**From:** Terry Reilly [<mailto:twreilly@gmail.com>]  
**Sent:** Thursday, December 15, 2011 7:47 PM  
**To:** Mary Midura  
**Subject:** Oakland an Example of Risk of Ranked-Choice Voting: "Reign of Error"

PLEASE PROVIDE TO THE CHARTER REVIEW COMMITTEE:

## Oakland an example of risk in ranked-choice voting

By: **Melissa Griffin** | 11/08/11 4:00 AM Columnist | Follow On Twitter @SFEX\_Griffin

‘Ranked-choice voting is a failed experiment,’ according to Supervisor Mark Farrell. Today, Farrell and Supervisor Sean Elsbernd will propose a charter amendment to end ranked-choice voting in San Francisco. It will need a majority of votes from the Board of Supervisors to get on the ballot in June, but I can’t imagine any supervisor will be able to vote against it after the spectacle we are about to witness as we calculate the votes in this mayoral race.

It will only be rivaled by the dramatic scene across the Bay, where we are watching Oakland Mayor Jean Quan continue her "reign of error."

I can't shake the suspicion that her incompetence might have been discovered prior to the election if she had been subjected to a runoff instead of sliding into office due to a ranked-choice voting system. I am not advocating for Don Perata, but a runoff might have required her to sharpen her leadership skills, define her policies and be ready to take the helm as the chief executive of a major city. At the very least, had she won a runoff, she could claim a mandate from a majority of Oakland voters. As it stands, she's the target of a recall effort.

The religious fervor exhibited by people who love ranked-choice voting is a bit bizarre. Are they selling the voting machines that count these funky ballots? They cite charts and arguments and polls like they are defending a senior thesis instead of acknowledging what any conversation with a local will tell you: People don't like ranked-choice voting.

Some people don't understand it. Some think it goes against the way we think elections ought to run — by majority vote. For some, it is because ranked-choice voting turns candidates into hand-holding chorus girls that no one can distinguish between, much less rank in order from one to three. Often it is a combination of these three factors. At any rate, the tone-deaf philosophers who think the public likes ranked-choice voting shouldn't be afraid to put it to a vote next June.

Aversion to runoff elections is understandable: Runoffs sound small and expensive. But the turnout for mayoral election runoffs since 1960 has been within 10 percentage points of the initial voting turnout. In 2003, 1999 and 1991, runoff turnout was actually higher than the first vote. Furthermore, there's nothing preventing The City from finding ways to defray the cost of a pricey singular December runoff by, for example, consolidating the election with the other ballot measures in June each year and holding a runoff, if one is necessary, on the regular Election Day in November.

According to Farrell, "Despite the original promises of ranked-choice voting, after what we have witnessed here and in Oakland, we need to have a gut-check in San Francisco."

We should consider recalling the system of ranked-choice voting before we have to recall an elected official who escaped the scrutiny of a runoff election. Just ask Oakland.

And no one seems to care.

URL: <http://www.sfexaminer.com/local/2011/11/oakland-example-risk-ranked-choice-voting>

## Marin Voice: Is ranked-choice voting good election reform?

By Richard Rubin Guest op-ed column

Posted: 12/18/2011 05:16:00 AM PST

RANKED-CHOICE VOTING was given another test drive in San Francisco in November, but it left as many questions unresolved as were answered.

Voters were asked to select three candidates from a field of 16 in order of preference. Those getting the least votes were eliminated in 11 successive rounds of balloting, with each of the second- and third-choice votes redistributed until one candidate emerged with over 50 percent.

Supporters of the system, which the city inaugurated in 2004, argue that it spares the extra costs of a runoff election if no one gets a majority and democratizes a process which typically favors well-heeled incumbents.

Perhaps — but this system could also have unintended consequences.

The so-called automatic run-off begs the question of whether an extended contest between two top vote getters does not offer the public a better opportunity to examine the contenders and the issues after both have been put under a more glaring spotlight — thereby yielding a stronger consensus winner.

Put differently, can the new system result in the least unpopular candidate being elected?

That may have been the case in Oakland last year where Mayor Jean Quan bested better known frontrunner, former State Sen. Don Perata, who was ahead by 10 percentage points on election night, until the second and third place choices were counted. Election experts attribute that outcome to a badly polarized electorate.

In the San Francisco mayoral race, numerous debates produced few insights about many candidates who worked overtime to avoid offending potential supporters that might make them their second or third choice.

Mayor Ed Lee, the favorite from the day he announced he would run, won comfortably as predicted with a 61 percent majority. He was never seriously challenged and the short campaign, which mainly exposed the weaknesses of his opponents, has left him with an even firmer grip on city hall.

The only real surprise was the showing of Supervisor John Avalos, who garnered a respectable 38 percent. However, few think a run-off would have changed anything.

In another twist, ranked voting was combined for the first time with public financing. Any candidate agreeing to a \$1.475 million spending cap was eligible for up to a 4-to-1 match for every dollar over \$25,000 raised from city residents. Lee turned it down.

In contrast, Phil Ting, the assessor-recorder who with 1 percent placed 12th, after getting a mere 973 first-place votes, received \$293,000 — or \$301.26 in taxpayer dollars per vote for his campaign.

In total, \$4.6 million in taxpayer funds was spent — most of it for candidates with zero chance of winning and no chance of keeping pace with Lee's financial juggernaut. Under the law, these doomed opponents had to keep running or repay all the public financing if they dropped out.

Supporters also argued this system would increase voter turnout. But turnout was well below the 50 percent average in the previous 10 competitive mayoral elections.

In my next column I will take a look at what ranked-choice voting might mean if adopted in Marin.

**Mary Midura**

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**From:** Mary Midura  
**Sent:** Tuesday, January 17, 2012 7:47 AM  
**To:** Mary Midura  
**Subject:** FW: Portland RCV - Plurality with Lipstick

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**From:** Terry Reilly [mailto:twreilly@gmail.com]  
**Sent:** Friday, December 16, 2011 12:42 PM  
**To:** Mary Midura  
**Subject:** Portland RCV - Plurality with Lipstick

PLEASE PROVIDE TO CHRTER COMMITTEE:

I correctly Predicted Portland's outcome weeks before the election:

20,212 cast ballots (19,728 valid). I predicted 20,000  
Winner got 9,061 votes. I predicted 9,000 which is 45%.



**Reporter's notebook: Majority rules, minority candidates, and more**  
By Randy Billings

PORTLAND — With the election firmly in the rear-view mirror, here are odds and ends from the city's historic mayoral election, the state's first dance with ranked-choice, or instant-runoff, voting.

### 'Lipstick' majority

Ranked-choice voting is hailed by proponents for producing a winner who receives a majority of votes, typically the person who is least offensive to voters. That's because the winner must ultimately win over his or her opponent's supporters.

***But Terry Reilly, a former chairman of the Campaign Finance Review and Ethics Board in San Jose, Calif., who has studied ranked choice voting, contacted The Forecaster in October with this view:***

***"RCV is nothing more than plurality with Lipstick," he said in an Oct. 19 email.***

In a sense, he was correct. Not once did the original standing of any of the 15 candidates ever change during the run-off tabulation. If the election had been decided on Nov. 8, without a runoff, the outcome would not have been different.

The only difference is with RCV, it's possible for the second- or third-place candidates to come back and beat the person with the most first-round votes. That happened in Burlington, Vt., where RCV was later scrapped.

***And the majority? Well, it was a majority of only 16,234 valid ballots by the 15th runoff round. Meanwhile, 19,728 valid first-place ballots were cast. So the 9,061 received by Mayor-elect Michael Brennan is about 1,000 short of a true majority.***

***It turns out Reilly correctly predicted that, too.***

***"The 'winner' will receive (about) 9,000 votes or 45 percent support," he said. "This means, like your (Gov. Paul LePage), more people (55 percent) voted against the winner."***

***For the record, Brennan received nearly 46 percent of the total votes cast in the first round.***

4 with under 300 votes:

One of the common complaints of the mayoral election was that there were too many candidates. Some voters at the polls said so many names made the ballot confusing and made it difficult to research the candidates.

Some candidates complained their voices were being buried or oversimplified in news stories. At forums, candidates only had a matter of seconds to speak on complex topics like economic development, homelessness and affordable housing.

<http://www.theforecaster.net/content/p-portland-mayoral-election-notebook>

**Mary Midura**

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**From:** Mary Midura  
**Sent:** Tuesday, January 17, 2012 7:48 AM  
**To:** Mary Midura  
**Subject:** FW: SF Examiner - Ranked choice isn't democratic choice for voters

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**From:** Terry Reilly [<mailto:twreilly@gmail.com>]  
**Sent:** Tuesday, December 20, 2011 2:34 PM  
**To:** Mary Midura  
**Subject:** SF Examiner - Ranked choice isn't democratic choice for voters

PLEASE PROVIDE TO THE CHARTER REVIEW COMMISSION



## Ranked choice isn't democratic choice for voters

*By: SF Examiner Editorial | 12/15/11 7:39 PM SF Examiner Editorial*

For the past nine years, San Francisco has experimented with ranked-choice voting as an alternative to the traditional method — voting for one candidate and holding a runoff between the top two vote-getters if nobody wins a majority. Ranked-choice voting was entered into with the best of intentions, but it hasn't lived up to its promises.

Instead, it has undermined democracy by creating voter confusion, potentially skewing election results and reducing voter choices. Fortunately, San Franciscans will have the opportunity on the June ballot to revert back to runoff elections.

You might think that after nine years, voters would understand how the ranked-choice voting system works. But it's a complicated process that has easily led to voter confusion.

About one out of every five ballots at a polling place in the Nov. 8 election was miscast — with the same candidate being selected in all three columns in the mistaken belief it would strengthen that candidate's chances, or with more than one candidate being selected per column.

Fifty-five percent of San Francisco voters are unsure whether or not their votes are counted when their first-, second- and third-choice candidates are all eliminated, according to a Chamber of Commerce survey conducted in February.

Those who vote less often or are lower-income or minority residents are more likely to have a lower understanding of ranked-choice voting, according to the San Francisco Voting Task Force. Nearly one-third of Chinese-American voters were unaware that ranked-choice voting was in effect in the November election, and half of them said they were confused by the system, according to a poll conducted by Sing Tao Daily.



An even more troubling problem with ranked-choice voting is that, by limiting voters to just three choices, it has the potential to skew election results.

This may have occurred in the November 2010 District 10 supervisor election. The winner, Malia Cohen, actually placed third after the first-choice votes were tallied. There was only a 181-vote spread between the top five first-choice candidates (out of a field of 21). After 20 rounds of winnowing, Cohen finally won by only 442 votes — but there were 4,631 voters whose ballots were eliminated by then who “could very well have changed the outcome of the election” if they had been allowed to vote for more than three candidates, concluded the Voting Task Force.

Allowing voters to vote for as many candidates as they’d like would help fix this problem. Unfortunately, it would also add to the complexity of the ballot for many already confused voters.

A runoff election provides the enormous benefit of ensuring that the winner has the support of a majority of

voters when choosing between the two most popular candidates. There is nothing more basic, democratic and easy to understand than that. In the chamber survey, 52 percent said they prefer runoff elections, while 42 percent prefer ranked-choice voting. Hopefully, the majority will turn out in June to restore sanity and simplicity to The City’s electoral process.

URL: <http://www.sfexaminer.com/opinion/editorials/2011/12/ranked-choice-isn-t-democratic-choice-voters>

**Mary Midura**

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**From:** Mary Midura  
**Sent:** Tuesday, January 17, 2012 7:48 AM  
**To:** Mary Midura  
**Subject:** FW: New York Times: Analysis Finds Incorrect Use of Ranked-Choice Voting

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**From:** Terry Reilly [mailto:twreilly@gmail.com]  
**Sent:** Monday, December 19, 2011 1:09 PM  
**To:** Mary Midura  
**Subject:** New York Times: Analysis Finds Incorrect Use of Ranked-Choice Voting

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*The New York Times*

<http://www.nytimes.com/2011/12/02/us/analysis-finds-incorrect-use-of-ranked-choice-voting.html>

December 2, 2011

# Analysis Finds Incorrect Use of Ranked-Choice Voting

By SHANE SHIFFLETT

The results are in: San Francisco voters have trouble with ranked-choice elections.

Despite a \$300,000 educational campaign leading up to last month's elections, including a new smiley-face mascot, publicity events, and advertising on buses and in newspapers, only one-third of voters on Nov. 8 filled out all three choices in all three races, according to an analysis released this week by the University of San Francisco.

Under the city's system, voters were asked to rank their top three choices for mayor, sheriff and district attorney.

Perhaps the analysis' most troubling finding is that 9 percent of voters, mostly in Chinatown and southeastern neighborhoods like the Bayview, marked only one choice for each office, either because they considered only one candidate suitable or because they did not know how to fill out their ballot correctly.

"Some people just prefer to rank one," said Corey Cook, a political science professor at the university who wrote the report with David Latterman. "But the geographic component suggests it's more systematic."

Although Edwin M. Lee did not receive a majority of first-place votes, he became the city's first elected Chinese-American mayor based on the ranked-choice system, which was first used in San Francisco in 2004.

Mr. Latterman, an associate director of the Leo T. McCarthy Center for Public Service and the Common Good at U.S.F., said voters in neighborhoods with large black or Asian populations tended to vote for different candidates than residents in other parts of the city. But the Nov. 8 election was the first time researchers saw a geographic or perhaps ethnic difference in how people used ranked-choice voting.

The findings indicate one of two things, Mr. Latterman said: Either campaigns tried to manipulate the results by focusing on specific groups of people or there is not a clear understanding of how to use the system.

A recent Bay Citizen analysis revealed that 16 percent of ballots in the mayoral race — those of more than 31,500 people — were filled out correctly but were discarded when all of their chosen candidates were eliminated from the race. San Francisco does not allow voters to rank all the candidates on the ballot.

In June, a voting task force created by the Board of Supervisors recommended that the Department of Elections consider allowing voters to rank all the candidates to avoid this issue.

The panel urged the department to work with city supervisors to increase voter education.

Hence the mascot. "We made the conscious decision to have an image of a correctly marked ballot and to have a smiley face to draw people's attention," said John Arntz, the director of the Department of Elections.

When asked whether ranked-choice voting has worked well for San Francisco, Mr. Arntz said, "I guess it depends if your candidate wins or not."

## Mary Midura

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**From:** Mary Midura  
**Sent:** Tuesday, January 17, 2012 7:49 AM  
**To:** Mary Midura  
**Subject:** FW: Marin Op-Ed: Is ranked-choice voting good election reform?  
**Attachments:** pastedGraphic.pdf; ATT00001.htm

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**From:** Terry Reilly [<mailto:twreilly@gmail.com>]  
**Sent:** Thursday, December 22, 2011 11:10 AM  
**To:** Mary Midura  
**Subject:** Marin Op-Ed: Is ranked-choice voting good election reform?

PLEASE PROVIDE TO THE CHARTER COMMISSION AS PUBLIC COMMENT:

## Mary Midura

**From:** Mary Midura  
**Sent:** Tuesday, January 17, 2012 7:48 AM  
**To:** Mary Midura  
**Subject:** FW: Supervisor Farrell - It is time to end ranked-choice voting in San Francisco

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**From:** Terry Reilly [mailto:twreilly@gmail.com]  
**Sent:** Wednesday, December 21, 2011 10:26 AM  
**To:** Mary Midura  
**Subject:** Supervisor Farrell - It is time to end ranked-choice voting in San Francisco

PLEASE PROVIDE TO THE CHARTER COMMISSION AS PUBLIC COMMENT

Supervisor Farrell was elected using RCV. He outlines the case why it should be scrapped.

### **It is time to end ranked-choice voting in San Francisco**

by Mark E. Farrell

December 2011

In 2002, San Franciscans approved a new voting system called "ranked-choice voting." If you have voted in a San Francisco election since then, you are likely well aware of our current system that allows voters to rank three candidates in each election. Ranked-choice voting was originally conceived in San Francisco as a remedy to the perceived problems of our city's traditional run-off voting system. After witnessing ranked-choice voting in action for nearly a decade, I feel it has failed to deliver on its many promises and has fostered numerous unintended consequences. Simply stated, I believe it is time to put an end to the ranked-choice voting experiment in our city.

#### **The promises of ranked-choice voting**

Ranked-choice voting was passed by San Francisco voters in 2002 without much supporting data but with a number of potential benefits: less negative campaigning, cheaper elections, and higher voter turnout.

The promise of less negative campaigning certainly has not materialized. If anyone paid attention to this year's mayor's race, the majority of the campaigning that happened was negative (especially in the last six weeks). As much as we don't like it, negative campaigning happens in almost every election, and the voting system doesn't affect the volume of voters. Furthermore, ranked-choice voting fosters a situation where candidates literally spend time asking for second and third place votes. Personally, I prefer candidates for elected office in San Francisco, in particular for mayor, to stand up as leaders, articulate a vision for our great city, and ask residents for their vote — plain and simple. Running around asking for second and third place votes, in my mind, diminishes the leadership trait

necessary for effectively serving in elected office.

A cheaper election cycle was also touted as a reason for ranked-choice voting. Intuitively, if San Francisco can eliminate a runoff election, it should yield significant cost savings. However, the reality is much more blurred. With ranked-choice, our Department of Elections is forced to hire additional staff to review much more complicated ballots, and they work much longer. Last year when I was elected, our Department of Elections had additional staff present well over two weeks after Election Day. Not to mention that the Department of Elections spends a significant amount of money each election cycle “educating” voters about the ranked-choice voting process. Supervisor Elsbernd and I have asked our internal financial analyst at the Board of Supervisors to conduct a true annual cost estimate for ranked-choice voting, and we estimate this study will be released later in December. Ultimately, I believe it is going to reveal ranked-choice voting as a surprisingly expensive endeavor.

Similarly, the promise of higher voter turnout has not materialized. Our 2011 November election saw an approximate 42 percent voter turnout – a staggeringly low number. As a contrast, the runoff for mayor in San Francisco between Gavin Newsom and Matt Gonzalez in 2003 saw over 54 percent voter turnout – meaning that over 70,000 more San Franciscans voted in the 2003 runoff election than in the 2011 mayoral race. If you look at the data, other mayoral elections in San Francisco over years have produced lower voter

turnout, but the point is that ranked-choice voting, in and of itself, clearly and factually does not produce higher voter turnout. Most would agree that it has more to do with the excitement around certain candidates – and their ability to inspire San Franciscans – that promotes higher voter turnout than the voting system itself.

### **Voter confusion**

San Francisco voters remain totally confused about how it works. One part of this is factual – each election cycle, a certain percentage of mail-in ballots are immediately tossed out because they are marked incorrectly (these are called “overvotes”). A quick look at the 2010 supervisor races and the 2011 mayor’s race shows hundreds of ballots in each election getting tossed as overvoted – more important, the percentage of overvotes increased dramatically (three to five times) in economically disadvantaged parts of San Francisco, which have significant minority populations. This is simply unacceptable, and actively disenfranchises communities that have a rich and rightfully successful history of fighting for the right to vote in the United States.

The other part regarding voter confusion is anecdotal. This past Election Day, Channel 7 interviewed four San Franciscans who had just voted at City Hall and asked them to explain ranked-choice voting. Not only did the interviews produce four different answers, but they were all wrong. A recent poll asked San Francisco voters a simple question: What happens to a ballot if the three candidates chosen on the ballot are eliminated in the final ranked-choice voting count? A full 17 percent answered the question wrong and 52 percent of the respondents answered “not sure.”

We have to ask ourselves – how much confusion is acceptable? How many ballots getting tossed is acceptable and to what end? In my opinion, our residents should be spending their time deciding who and what to vote for, not how to vote.

### **The principal of majority vote**

I believe politicians should be elected with a majority vote – plain and simple. Ranked-choice voting does not deliver on this premise, and allows candidates with a distinct minority of the vote to win their elections. Many drastic examples exist, including a recent supervisor race in San Francisco where the winner received less than 12 percent of the first place votes, ultimately appeared on less than 25 percent of the ballots in the election (when counting second and third place votes), but nevertheless won the election. Perhaps the most prominent example is from the 2010 mayor's race in Oakland, when Jean Quan won just 24 percent of the first place votes and ended up winning the election despite appearing on less than 45 percent of the ballots (when including second and third place votes).

As we have witnessed in Oakland this year – in particular with the Occupy Oakland movement and the recall petitions – not only does this undermine an elected official's ability to govern moving forward but leaves voters rightfully frustrated and bewildered.

### **What's next?**

On Nov. 8, with Supervisor Sean Elsbernd as co-sponsor, I introduced an amendment to our San Francisco Charter that would eliminate ranked-choice voting and return San Francisco elections to our traditional runoff voting system. Our goal is to have this charter amendment on the June 2012 ballot in San Francisco, where voters will decide its fate. However, to qualify for the June 2012 ballot, it will take six supervisors to sign the charter amendment, so we will be debating the issue at the Board of Supervisors over the next two months. Given the timing of the June 2012 ballot, the ultimate vote at the Board of Supervisors will take place in early February at the latest.

As I mentioned to my colleagues and various members of the media, Supervisor Elsbernd and I are not dogmatic about the details of our current legislation (some supervisors have openly stated a preference for a September primary and November runoff, which we are very open to discussing) – the only part we are dogmatic about is the necessity to end ranked-choice voting in San Francisco. Ultimately, it has failed to deliver on its promises, created massive voter confusion, and violated the principal of a majority vote – all the while disenfranchising demographic groups that deserve our support. Voting is a fundamental right, and I believe any system or ideology that infringes on the exercise of that right is bad policy. It is time for San Francisco to end its ranked-choice voting experiment.

## Mary Midura

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**From:** Mary Midura  
**Sent:** Tuesday, January 17, 2012 7:50 AM  
**To:** Mary Midura  
**Subject:** FW: RCV Debate  
**Attachments:** Ranked Choice Voting SPUR - San Francisco Planning + Urban Research Association.pdf; ATT00001.htm; In Defense of Ranked-Choice Voting.pdf; ATT00002.htm; The Trouble With Ranked-Choice Voting.pdf; ATT00003.htm

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**From:** Terry Reilly [<mailto:twreilly@gmail.com>]  
**Sent:** Monday, January 09, 2012 7:10 PM  
**To:** Mary Midura  
**Subject:** RCV Debate

PLEASE PROVIDE TO YOU CHARTER COMMISSION AS PUBLIC COMMENT

Last month, you read Prof. Cook's review the of recent RCV elections in San Francisco.

Prof. Cook is the Director of the Leo T. McCarthy Center for Public Service and the Common Good at USF (<http://www.usfca.edu/osl/>) and a recognized expert in RCV election methods.

Here's the article that started it all:





Publications > Policy Paper Library > Article

#### ARTICLE

This article appears in December 2011 issue of the Urbanist

## Ranked Choice Voting

The deeper questions about the relative effects of ranked-choice voting are difficult to answer.

### WHAT HAPPENED

San Francisco's first competitive mayoral election using ranked-choice voting is on the books, and by most objective measures the system held up rather well: The election results were clear and uncontroversial, individual ballots contained fewer errors than in past contests and most voters chose to participate fully by ranking their first-, second- and third-choice candidates.

### WHAT IT MEANS

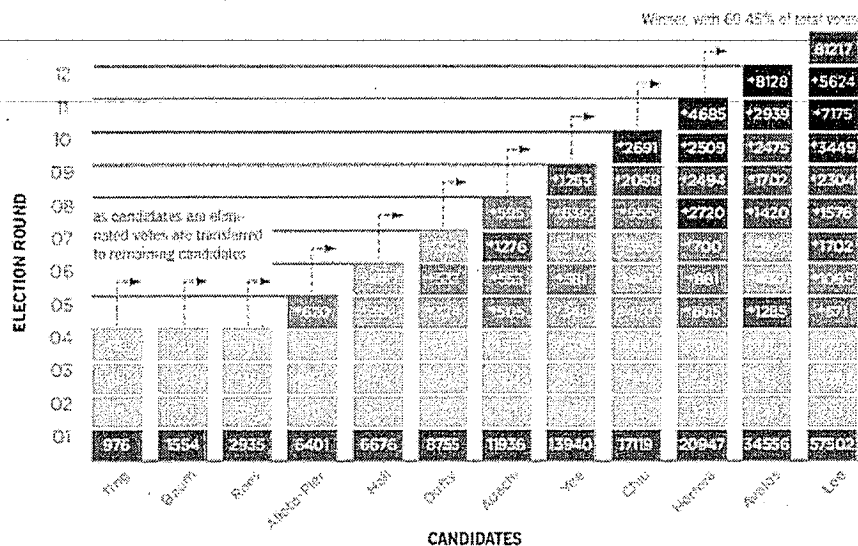
Despite these results, it's still unclear whether ranked-choice voting accurately reflects popular opinion. While 73.2 percent of voters ranked three different candidates in the mayoral election, only 52.4 percent did so in the five-candidate race for district attorney and 42.6 percent in the four-candidate race for sheriff. Bullet voting (voting only for one candidate) remains prevalent: In the mayoral election 16 percent of voters indicated a preference for only one candidate, as did 27 percent in the DA's race and 38 percent in the sheriff's race. It's not clear if a sizable block of voters sincerely preferred only one candidate or whether they were unsure what to make of a ranked-choice ballot. Meanwhile, 1.2 percent of voters marked more than one candidate as their first choice. This figure is higher than in standard "vote for one" candidate races, and it invalidated a couple thousand votes overall.

**The deeper questions** about the relative effects of ranked-choice voting are difficult to answer. In addition to the voting system, the context of the election included generous public financing, an incredibly deep pool of serious contenders and a popular acting mayor who entered the race at the last minute. It's impossible to disentangle the independent effects of ranked-choice voting. But it's easy to see the deep flaws in this election.

The clear results from November's election included abysmal turnout — right around 42 percent — the lowest in a contested mayoral election since at least the 1960s. Only Mayor Gavin Newsom's 2007 landslide re-election was lower. Voters are rational. They weigh the costs and benefits of casting a ballot in determining whether or not to participate in an election. And this was a costly election: Sorting through the relative strengths and weaknesses of twelve serious candidates and ranking one's three choices takes quite a bit of information. And it was not clear what the benefits of voting would be to an individual voter. Aside from the fact that the twelve candidates operated within the relatively narrow ideological spectrum of San Francisco politics and might have appeared similar to voters, polls indicated (correctly as it turned out) that acting Mayor Ed Lee was well ahead. This signals to voters that their vote is unlikely to matter in the outcome.

The mayoral race, generally uneventful for the better part of a year, became exceptionally nasty in the final month. While ranked-choice voting has been said to discourage negative campaigning, it only really discourages negative hits on those lower in the standings, whose ballots are likely to be redistributed. The front-runner is still fair game because her or his votes are unlikely to be transferred to another candidate — which means there is no need to worry about offending the frontrunner's supporters. Whether by chance or design, as the relative positioning of the candidates became clear in the month or so before the election, the race turned decidedly ugly.

## VOTES GAINED BY EACH CANDIDATE PER RCV ELECTION ROUND



Graphic by Philip Christman  
Source: City & County of San Francisco Department of Elections

And while the election produced no surprise upsets like the one in Oakland's 2010 mayoral contest, the seeming clarity of the margins of victory in the three contests hides another fact: In 15 of the 18 ranked-choice contests held so far in San Francisco, the winning candidate did not receive a majority of the votes cast. Mayor Ed Lee only appeared on 43.9 percent of ballots. Sheriff-elect Ross Mirkarimi appeared on 46.9 percent. Their "majorities" were secured in relation to their nearest competitors and rested upon on tens of thousands of ballots that were eliminated early in the counting rounds because they did not include second or third choices. These elections did not simulate a majority runoff.

Only District Attorney-elect George Gascon won an actual majority of votes, an outcome that largely rested on his good fortune to compete in the final round against David Onek rather than Sharmin Bock. While Bock's votes were split in Gascon's favor, had she received a couple thousand more votes and leapfrogged Onek, the race would have been exceptionally close, as Onek voters preferred Bock to Gascon by a wide margin.

The critical question is whether this impacts elected officials' ability to govern effectively. The concept of a "mandate" is a highly contested one in political science. All of the winners on election night received the legal mandate to govern. And it is likely, given the margin of victory, that the vast majority of voters will see these outcomes as legitimate (unlike what appears to have happened in Oakland, where a mayor who did not win a majority now faces a lack of support). And there is no evidence that any of the city supervisors who were elected without a majority have had to convince their constituents that they legitimately won. Still, particularly for a mayor, there is an advantage to securing a majority electoral coalition when it comes time to govern. And a city facing significant economic, institutional, fiscal and social challenges needs effective leadership. The jury remains out on whether ranked-choice voting facilitates this.

## ABOUT THE AUTHORS

Corey Cook



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BLOG

« All posts

Friday, January 6, 2012

## In Defense of Ranked-Choice Voting

BY RICH DELEON\*

*In the December issue of The Urbanist, we published an article by University of San Francisco Associate Professor Corey Cook that questioned the impact of ranked-choice voting on San Francisco elections. Recently, San Francisco State Professor Emeritus Rich DeLeon asked us if he could present another point of view. His reply is below. Professor Cook has in turn responded with a follow-up post.*

Professor Corey Cook's article in the December 2011 *Urbanist* assesses San Francisco's ranked-choice voting (RCV) system in the 2011 mayoral election. His opening statement concludes that "by most objective measures the system held up rather well: The election results were clear and uncontroversial, individual ballots contained fewer errors than in past contests and most voters chose to participate fully by ranking their first-, second- and third-choice candidates."

This would seem to be an occasion for high-fives and popping champagne corks. But Cook sees problems with RCV, lots of them. He has "deeper questions" about the effects of RCV on such things as the degree to which the election outcome "accurately reflects popular opinion," the voter turnout rate, the level of negative campaigning, the perceived legitimacy of election results viewed as a mandate to govern, the informational burdens placed on voters in ranking candidates, and the incidence of voting errors. He acknowledges that these questions "are difficult to answer. In addition to the voting system, the context of the election included generous public financing, an incredibly deep pool of serious contenders and a popular acting mayor who entered the race at the last minute. It's impossible to disentangle the independent effects of ranked-choice voting." Undeterred by these obstacles, however, Cook goes on to assert a giant non sequitur: "But it's easy to see the deep flaws in this election."

What are these "deep flaws," and what's his evidence for them?

### 1. Ranked-choice voting and popular opinion.

Cook writes that it is "unclear whether ranked-choice voting accurately reflects popular opinion." Popular opinion about what? Measured how? Here one might reasonably expect a careful comparison of actual election outcomes with the predictions of pre-election polls, or perhaps an assessment of how accurately the observed voting patterns reflected the city's diverse and complex demography. Instead, Cook reports statistics on the incidence of voting for only one candidate in the mayoral, district attorney and sheriff races. He misleadingly calls voting for only one candidate "bullet voting," and he claims that it "remains prevalent" based on a reported 16 percent of voters indicating a preference for only one candidate in the mayoral race, with higher percentages in the district attorney and sheriff races. (Cook's definition of "bullet voting" is misleading because political scientists and campaign managers typically use the term to mean a form of tactical voting in which a voter is encouraged to vote only for his or her preferred candidate, despite having the option to vote for more, in order to deny votes to rival candidates.) He writes that it's unclear whether a "sizable block of voters sincerely preferred only one candidate" or — the only alternative he suggests — "whether they [the voters] were unsure what to make of a ranked-choice ballot," implying voter ignorance or confusion. Cook adds that 1.2 percent of voters marked more than one candidate as their first choice, a figure "higher than in standard 'vote for one' candidate races."

Questions: First, how much lower than 1.2 percent can the comparable figure in "standard" races possibly be? Second, why is an explicit contrast made here but not elsewhere, except by implication, between RCV and "standard 'vote for one'" methods (such as are used in the traditional runoff system, which some RCV critics would like to restore)? Third, and most important, what makes Cook think these "bullet voting" and voting error statistics are in any way an appropriate yardstick for gauging "popular opinion" and assessing whether RCV accurately reflects it?

### 2. Ranked-choice voting and voter turnout.

Cook writes that the "clear results from November's election included abysmal turnout — right around 42 percent — the lowest in a contested mayoral election since at least the 1960s. Only Mayor Gavin Newsom's 2007 landslide re-election was lower."

What Cook deems an "abysmal" turnout of 42.5 percent of registered voters was only 3.2 percentage points lower than in the November 2003 election (45.7 percent) and a mere 2.5 percentage points lower than in the November 1999 election (45.0 percent). (The turnout rate was 35.6 percent in November 2007, truly "abysmal" by San Francisco standards, but Cook dismisses that election as anomalous.) Given the secular decline in U.S. voter-turnout rates generally and in urban electorates particularly, why does Cook think San Francisco's 42.5 percent turnout is abysmal? Moreover, San Francisco has the highest voter turnout rate among the 22 most populous U.S. cities in their most recent mayoral elections. Most urban political scientists would want to explain why San Francisco's turnout rates are so high relative to other large U.S. cities, not why the city's turnout dropped 2 to 4 percentage points over the last few elections, which could have happened for any number of reasons.

Lacking such background for evaluating Cook's claims, some readers might infer that RCV must be the culprit behind the drop in turnout. Voter turnout

under the old runoff system was high. Voter turnout under RCV was low. Therefore, RCV must have caused the drop in turnout. To avoid even the suggestion of that kind of fallacious logic, Cook could have provided more context and clarification. Instead, he chose to double down on the thesis that RCV itself was in some way responsible for the lower turnout in the 2011 mayoral election.

### **3. Ranked-choice voting and the informational burdens of voter calculation.**

To buttress that thesis, Cook makes a clever but rather dubious argument. First, the city's voters, being rational, calculated the benefits and costs of turning out to vote. Second, the informational burdens of ranking as many as twelve serious candidates under RCV increased the perceived costs of voting. Third, those higher costs combined with lowered expected benefits of voting (in a predicted landslide victory for Lee) help to explain why, under RCV, voter turnout dropped from previous levels.

Let's leave aside debates we might have about how consciously aware typical voters are in computing benefit-cost ratios of whether or not to vote, other than to say that pollsters and campaign managers tag many voters as "habituals" for a reason.

Professor Cook's assertion about the costly informational burdens of RCV seems to be the critical causal link he wants to make between the adoption of RCV and lower voter turnout. Two points:

First, Cook's argument, such as it is, ignores the voter's rarely mentioned burdens of calculation under the old runoff system. Examples: I prefer candidate X. But X is unelectable. So should I vote for X anyway, on principle? Or should I vote for my less-preferred but minimally acceptable and more electable candidate Y, thus avoiding the risk that my principled vote for X will spoil Y's chances and thus perversely help elect candidate Z, whom I despise? Or should I vote for the despised Z, a weak candidate, to place him in the runoff against my favored candidate, X, thus increasing X's chances of victory? Etc. As these examples illustrate, if the informational burdens of voting under the old runoff system seem so much smaller than under RCV, that is only because they are so familiar.

Second, Cook's argument also ignores relevant findings from a San Francisco State exit poll he and his colleagues conducted to assess RCV in the November 2004 Board of Supervisors elections. In that poll, 2,610 non-first-time voters who voted in the Board of Supervisors election were asked: "Compared to past elections for the Board of Supervisors, how much information did you gather about the candidates before voting today: More than in past elections, no difference, less than in past elections?" About 31 percent of sample voters said they gathered more information than in the past, about 7 percent said less, and the rest reported no difference. Given these results and Cook's claims about the burdens of information gathering under RCV, one would expect that voters so burdened would much prefer the less demanding old December runoff system to the new one. Not so. An estimated 71 percent of voters who gathered "more" information on the candidates said they preferred RCV; only 11 percent favored the old December runoff system. Of those who said there was no difference, 68 percent said they preferred RCV and 12 percent the old system. And of those who said they gathered "less" information, "only" 52 percent said they preferred RCV versus 21 percent who favored the old system. Some readers may find these results surprising, especially if they view information-gathering strictly as a burden or cost of voting rather than as a benefit.

One last comment on this point: Some critics of RCV complain that it allows voters too few rankings under the technical limitations of San Francisco's existing voting machines and software. In other words, the problem, as they see it, is one of not enough choice rather than too much choice. A recent lawsuit challenging the city's RCV system on just those grounds was rejected by the Ninth Circuit Court earlier this year. Unfortunately, Professor Cook doesn't consider this side of the debate in his assessment.

### **4. Ranked-choice voting and negative campaigning.**

Cook disputes the claim made by some RCV advocates that it discourages negative campaigning. I have questioned that claim, too, in my independent analysis of Cook et al's 2004 exit poll data. (PDF download, see pages 5-7.) Yet Cook characterizes the recent mayoral race as "exceptionally nasty in the final month," implying that negative campaigning reached new heights of vituperative meanness under RCV. He concedes, however, that RCV apparently did discourage negative campaigning among second-tier candidates, whose ballots were likely to be redistributed to the quarrelsome front-runners. That, it would seem, is a glass half full, and a point (or at least half a point) in favor of RCV.

Like the contrary arguments some critics have made about RCV's informational burdens (too much choice! too little choice!), critics also seem divided on whether hard-hitting negative campaigns are a bad thing or a good thing. Some lament the muted differences and the lack of blood and gore under RCV. Others, like Professor Cook, regret to inform us that the new system may actually foster exceptionally nasty campaigning, at least among top-tier candidates. Based on my own observations, I've seen little evidence in this latest election or in earlier ones that RCV discourages candidates from taking strong and clear positions on the issues or from engaging in sharp debates. Politics remains a blood sport in San Francisco, and the old saying that "truce is stranger than friction" in this city still applies, even under the civilizing inducements of ranked-choice voting.

### **5. Ranked-choice voting and the contested concept of "majority" rule.**

I confess I had a hard time following the logic of Professor Cook's concluding arguments that RCV has failed to produce a "majority" winner (and thus governing legitimacy) in most San Francisco RCV elections. He doesn't accept the charter language defining a "majority" winner under RCV as the candidate receiving a majority of continuing votes — a definition that has served well over many elections since 2004 to produce "uncontroversial" election results. For Cook, a majority is at least 50 percent plus one of total votes cast in a given election, and that is that, no matter how many more votes might be cast for the winner in the typically high-turnout November RCV elections than in the typically low-turnout December runoff elections.

Cook's denial of governing legitimacy to majority winners under current RCV rules leads to some unfortunate polemics. (Most disturbing to me is the gratuitous swipe at Oakland's new mayor, Jean Quan, challenging the legitimacy of her election, which she won fair and square, and insinuating that her current struggles to govern her city under the most trying circumstances stem from a tainted victory under RCV.) I have great respect for Professor Cook, his scholarly publications and his political expertise. However, I believe his assessment of RCV would be more credible as a fair and objective analysis if he had actually acknowledged and engaged those who offer other perspectives on these issues. I trust that his forthcoming study of the city's ranked-choice voting system will be more comprehensive in scope, more inclusive and respectful of different points of view, and more illuminating.

One last thought: It seems to me that the local political culture has adapted very well to RCV since the city's first ranked-choice elections in 2004. More

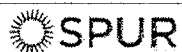
political groups and clubs are making ranked endorsements. More media organizations and campaign managers are using ranked-choice formats in their polling. More candidates, at least those serious about winning, are paying close attention to the new rules of the electoral game in calculating strategies and tactics. The city's election administration is operating more smoothly, quickly and efficiently in processing ballots and reporting election results. Indeed, the most recent election results were, as Cook writes, "uncontroversial" — a word rarely spoken about San Francisco politics. In general, San Franciscans appear to have become quite comfortable and familiar with RCV. That's why I'm so puzzled by the timing of recent attacks on RCV and calls for its repeal. Could it be — and I'm just speculating here — that some critics fear the last chance is slipping away to smother RCV in its cradle?

**Read Corey Cook's original article in *The Urbanist* >>**

**Read Corey Cook's rebuttal >>**

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Friday, January 6, 2012

## The Trouble With Ranked-Choice Voting

BY COREY COOK\*

*In the December issue of The Urbanist, we published an article by University of San Francisco Associate Professor Corey Cook that questioned the impact of ranked-choice voting on San Francisco elections. Recently, San Francisco State Professor Emeritus Rich DeLeon asked us if he could present another point of view. His reply appears in the previous post, and Professor Cook has in turn responded with a follow-up, below.*

I very much appreciate reading Professor Rich DeLeon's response to my article on the recent municipal elections in San Francisco. Thank you to SPUR for encouraging this dialogue – I think the “author meets critic” format is a good one for instigating a reasoned and analytic debate. Unfortunately, in this case, I think Professor DeLeon's critique rests on a host of flawed assumptions and tortured interpretations of my analysis of the election that border on the disingenuous and eludes the substantive issues. The purpose of my piece was simply to offer a short appraisal of the mayoral election and the use of ranked choice voting in the November contests. Space and time limitations precluded the type of rigorous analysis Professor DeLeon would have preferred (the article was written the weekend after the election and limited to 800 words) and I am pleased to respond here to his critique with both greater specificity and clarity because I think Professor DeLeon disagree to a far lesser extent than he imagines.

At the outset, and in the interests of full disclosure, I should state that I am neither a proponent nor an opponent of ranked choice voting, despite Professor DeLeon's efforts to label me a “critic”. My own view is that there are no perfect voting systems and that there are tradeoffs inherent in each. I provided testimony in defense of ranked choice voting in the recent lawsuit brought against the city because I thought the data were clearly supportive of the city's position, and my research on the recent elections in San Francisco, San Leandro, Oakland, and Berkeley suggests both substantial advantages to ranked choice voting and remaining challenges in the implementation of this voting system. I am not a partisan of either the “pro” or “anti” camps (apparently to the dismay of both).

To quote Professor DeLeon from his 2005 white paper, “it is important for both advocates and critics of this electoral reform to study whether IRV actually works in practice the way some have predicted it would based mainly on theory.” Unfortunately, it appears that to those who helped initiate the national movement for ranked choice voting, anyone who offers anything short of full-throated support is branded a critic and dismissed with misdirections and ad hominem arguments. This has the unfortunate consequence of limiting the discussion to the more extreme voices on both sides – those for repeal and those for maintaining RCV.

As I stated at the beginning of the piece, “by most objective measures”, ranked choice voting held up quite well in November. The results in all three citywide races were clear, there were proportionally less invalidated ballots than in previous elections, and a higher percentage of voters fully used the three rankings. This is indeed worthy of praise, though I don't know about “breaking out the champagne” as Professor DeLeon suggests. The Department of Elections was wise to begin reporting the ranked choice counts the day after the election, and, as Professor DeLeon states in his conclusion, some candidates and political and non-political groups in town did their part to inform voters about ranked choice voting. It seems that Professor DeLeon would have me stop with that statement.

Instead, I express my perspective that the 2011 election, particularly the mayoral contest, was deeply flawed. The flaws, in my view, included low voter interest and participation and a rather tedious summer of interminable debates and candidate forums which largely yielded minimal substance succeeded by an ugly final month. I do not attempt to make assertions about the independent effects of ranked choice voting and repeatedly state (as the subtitle captures) that the relative effects of ranked choice voting in relation to these matters is “difficult to answer.” I think it is impossible to reach any definitive conclusions based on a single election. But I think that it is important to study whether ranked choice voting is indeed “a necessary reform for repairing our broken democracy” as Professor DeLeon, Chris Jerdonek, and Steven Hill write in their 2006 editorial.

In his letter to the Berkeley City Council urging adoption of Instant Runoff Voting, Professor DeLeon echoes the arguments proffered in favor of adoption in San Francisco: “IRV will insure that elected representatives have majority voter support. IRV will reward positive, issue-based campaigns, discourage negative campaigning, and promote coalition-building. IRV will require only one election rather than two, thus maximizing turnout (runoff elections typically draw fewer voters) and minimizing costs.” He then goes on to offer four additional arguments, one of which is that “IRV will help to expand voter choice, activate voter interest, encourage greater (but kinder & gentler) political competition, and restore legitimacy to a political system...” I am unsure how else to “study whether IRV actually works in practice the way some have predicted it” without looking at the overall election.

I respond here to each of Professor DeLeon's five criticisms of my article.

### 1. Ranked choice voting and popular opinion.

First, I ask whether ranked choice voting accurately captures individual voters' preferences. This should be our primary concern about any voting system (a

voting system is simply a method of aggregating individual preferences). As Professor DeLeon states, there are many possible ways of analyzing this critical question, including "an assessment of how accurately the observed voting patterns reflected the city's diverse and complex demography." I agree with him that this would be a worthwhile study, but not one that I could execute in 800 words or in the four days after an election as Professor DeLeon states he "might reasonably expect." Thank goodness he wasn't on my tenure committee.

Instead, I chose to analyze the nearly 200,000 ballots in the race to look at two types of voting behaviors: overvotes (ballots in which voters make errors that might invalidate their vote) and the numbers of rankings used by voters. The reason I look at these two measures is fairly straightforward. If voters' ballots are invalidated at relatively high rates or disproportionately across groups, and/or if voters are not fully expressing their sincere preferences by exploiting the fullest potential of the ballot, this might suggest that the current system of implementing ranked choice voting is not accurately tallying individual voters' sincere preferences. This methodology is a direct replication of a 2008 study by Neely and Cook that is, to my understanding, the only peer reviewed academic publication on ranked choice voting in San Francisco.

The data from the 2011 election reveal that 1.2% of voters cast an overvote in one of the three citywide contests. This rate is lower than in the past, and yet still higher than in typical "vote for one" candidate contests. Professor DeLeon wonders "how much lower... can it possibly be?" According to a study by Kimball and Kropf (2005), the mean overvote rate in gubernatorial races in their study was 0.17%. These scholars find that "overvotes are almost entirely a function of ballot features and voting technology" and are not related to demography. Overvotes are higher in counties using "connect the arrow" systems used in San Francisco, and yet they are "substantially less common in counties using the error correction feature" used in San Francisco (Kimball and Kropf, 2005:526). So we don't have an apples-to-apples comparison and reasonable people can disagree about whether 1.2% is substantially higher than 0.17%. For comparison sake, rates of overvotes in 2010 were 1.2% in San Francisco, 0.9% in Oakland, and 0.4% in San Leandro. This strikes me as significant and worthy of discussion about how to mitigate voter error. But unlike overvotes in the races studied by Kimball and Kropf (2005), we do find that errors have been correlated with demographic characteristics of the population (see Neely and Cook, 2008). So it seems reasonable to discern whether there are things San Francisco can do to reduce their occurrence and ensure that some voters are not systematically less likely to cast valid ballots and perhaps learn from across the bay.

My concern with the number of rankings expressed by voters is similarly straightforward and is directly a test of the proposition that ranked choice voting "expand(s) voter choice" in practice as well as in theory. The number of fully-ranked ballots in this election was 73% in the Mayoral, and 52% in the DA race and 43% in the Sheriff race. If this accurately reflects voters' preferences, the system is working well. If not, then less so. What do the data tell us?

The proportion of voters only voting for only one candidate in the mayoral race was 16%, compared with 27% in the DA's race and 38% in the Sheriff's race. 9% of voters ranked only one candidate in all three contests. Now, there are many explanations for this – that voters did not have enough information about other candidates, that voters found no other candidates acceptable, that voters were unaware about the option to rank three candidates, that voters were persuaded by a "vote for one" endorsement (like that of the city's largest newspaper) or that they were confused by the various political actors spouting inaccuracies about ranked choice voting, among other explanations. I presume, based on previous studies, that it's a bit of each, but do not hazard a guess beyond that. I would note that, as with overvotes, the incidence of ranking fewer than three choices is not randomly distributed. Data show that voters in the southeastern neighborhoods were more likely to rank only one candidate.

But as Professor DeLeon rightly notes, more research on this is needed and I make no conclusions about why this is the case, only to state that it is both important and "difficult to answer". For what it's worth, in the 2005 exit poll conducted by Neely, Blash, and Cook that Professor DeLeon cites, 31% of voters who ranked less than three state that they didn't know enough about the other candidates, 21% say that no others were acceptable, and 9% say they didn't know they could rank three.

Just a note about terminology. Professor DeLeon twice calls "misleading" my use of the term "bullet-voting" to characterize voters who vote only for one candidate "because political scientists and campaign managers typically use the term to mean a form of *tactical* voting in which a voter is encouraged to vote only for his or her preferred candidate." This is not consistent with my reading of the political science literature which does not distinguish, as I do not, between *tactical* and *sincere* votes for a single candidate. Richard Niemi (in his seminal paper) calls bullet voting "voting for only one's most preferred candidate" (Niemi, 1984). Similarly, Bullock and MacManus define bullet voting as "Voting for only one candidate out of a list of candidates" (Bullock and MacManus 1993). In more recent years, scholars have used bullet voting and "single shot voting" interchangeably (see Bowler and Yoshinaka, 2007; Bowler and Farrell, 2001; Zimmerman, 1994). And to appease any students who might be reading this, good old Wikipedia also does not distinguish between sincere and tactical votes for a single candidate in its description of bullet voting.

## 2. Ranked choice voting and turnout

Professor DeLeon and I agree that turnout in 2011 was lower than in previous mayoral contests, save 2007. He takes issue with my use of the term "abysmal", which is certainly fair. He is right that turnout in 2011 was only 3.2% lower than in 2003 and 2.5% lower than in 1999 and higher than in Gavin Newsom's largely uncontested re-election in 2007. I might mention, however, that observers in 1999 and 2003 complained about low turnout and that in both December runoffs, turnout increased. In 2003, turnout went from 45.7 in November to 54.5% in December. In 1999, turnout went from 45.0% to 48.8%. I suppose I used the term "abysmal" because I was particularly impressed by this group of candidates – the acting mayor, three citywide electeds, and six current and former members of the Board of Supervisors, including its president. And of course the top seven finishers would all have been "firsts": first elected Chinese-American, Japanese-American, Latino, or openly gay mayor. If that's not enough, the ballot propositions included two competing pension reform measures and a statement on school assignment policy. I might have expected more voter interest. I thought it was abysmal.

Professor DeLeon seemingly takes issue with why I compare 2011 to past mayoral contests, and yet "dismiss as anomalous" the 2007 race which he deems "truly abysmal by San Francisco standards". Here's why I exclude 2007. In 2007, there were three candidate races and 11 propositions. The *closest* of the three candidate races was won by 47.5%. Gavin Newsom's nearest competitor scored 6.3% of the vote. District Attorney Kamala Harris ran completely unopposed. Sheriff Michael Hennessy won with just under ¼ of the votes cast. As far as I can tell, there was no significant money spent by any of these challengers nor had any held prior elective office. The ballot propositions were even less interesting than these essentially uncontested races. The most controversial was Proposition E, which would have required the Mayor to participate in question time before the Board of Supervisors. In fact, voters who came to the polls were less likely to stick around and participate on the ballot propositions in that year (93.4% of voters who cast ballots, on average, voted on the propositions in 2007 compared with 93.8% who did so in 2011 suggesting that ballot measures were even less of a draw). So I don't regard

2007 as "abysmal" turnout relative to what was on the ballot. My own judgment, for what it is worth, is that 2011 was a much more interesting election and that 42% turnout is far more problematic given the nature of the races.

In an August editorial, Professor DeLeon writes, "This election, as I see it, is about choosing how San Francisco will be governed as a progressive city through economic hard times. It is about making the transition from a strident politics of ideology to a more traditional politics of interest and identity. And it is about the capacity of local government to take care of business and the capacity of business to take care of San Francisco." Given these high stakes, it would appear that 42% turnout would be considered "abysmal". But, I suppose, reasonable people can disagree about this point.

More significantly, I did not mean to imply that ranked choice voting is "the culprit behind" the low turnout. As I explicitly state in the piece, turnout was low because the costs of voting were high (owing to the large field of most liberal Democrats), and the race was perceived as not particularly close. I would add to that the general sense of voters that things in San Francisco were headed in the right direction. Professor DeLeon dismisses my use of a rational voter framework to explain voter turnout due to the existence of "habitual voters." I don't doubt that Professor DeLeon knows this voting behavior literature far better than I so I defer to his judgment on this, but in my reading, habitual voters can be understood using reasonable assumptions of voter rationality (see Geys, 2006 for a review of the literature).

In any case, in their strategic planning, the campaigns had estimated that turnout would approach 50 percent. It was far lower and I think it is an interesting empirical question for future research. But the overall effects of RCV on turnout are not empirically discernible from my perspective – positive, negative, or otherwise. Actually, a piece that Professor Francis Neely and I published several years ago shows that the rate of "undervotes" in Board of Supervisorial elections is lower using ranked choice voting. That is to say that voters participating in the election were less likely to leave those contests blank than in similar elections. Again, it's unclear whether this brought people to the polls or merely encouraged them to continue to the downballot races once there, but is interesting nonetheless. The impression I intended to give in regards to turnout was not that ranked choice voting is the culprit, but rather that the race was a largely undifferentiated contest involving huge amounts of money and incredible amounts of information, and yet voters seemed not to respond to the historic election in the way I might have expected.

### 3. Ranked choice voting and information costs

I do think it is the case that ranked choice voting imposes greater informational costs on voters. Ranking three choices takes a lot of information. It seems that Professor DeLeon would agree. As he wrote in the August editorial, "under the city's ranked-choice voting system, the voters will need to do more political homework much earlier than in the past, because this election will be a one-day sale without the option of a later runoff election simplifying choice, for good or ill, by whittling the 16 down to two." As noted above, the single greatest explanation for why voters did not rank all three candidates in 2005 was that the voter "did not know enough" about the other candidates. And that study shows a strong, statistically-significant relationship between the number of rankings voters express and their perceptions of the ease of the ranking task.

In this section Professor DeLeon raises the issue of whether the limit on articulating three rankings is too stringent and links to the judicial decision on the matter. As noted above, I provided expert testimony on precisely this issue, so the statement that "Professor Cook doesn't consider this side of the debate in his assessment" is somewhat amusing as I spent several months and dozens of hours working pro bono for the city to empirically defend precisely that side of the debate! In that case, I examined past election results in San Francisco to investigate the plaintiff's assertions that voters were "disenfranchised" by the limit on three choices. I did not agree then, and do not agree now, that voters were "disenfranchised" and that the consequence of adding rankings would include a more complex and confusing ballot. I think the judge's decision in that case was exactly right. However, the empirical argument I made rested on the evidence that relatively few voters ranked three choices and of those, relatively few had their ballots discontinued. In the 2011 mayoral race, 72.7% of voters ranked three choices and 22.5 percent of those ballots were exhausted (meaning that they did not include Ed Lee or John Avalos (the two final candidates)). These data do not change my opinion about the "disenfranchisement" argument. But these data do suggest that perhaps in this particular contest some voters might have taken advantage of the opportunity to rank more candidates had that been an option and thus, RCV might have more precisely reflected voter preferences.

### 4. Ranked choice voting and negative campaigning

I am disappointed about Professor DeLeon's characterization of my writing in this section because I think that he and I actually do not disagree at all on this point. I argue that the 2011 mayoral election was "generally uneventful for the better part of a year (and) became exceptionally nasty in the final month." I do not state, as he would have me, that "negative campaigning reached new heights of vituperative meanness *under RCV*. (italics mine). Rather, I state that this campaign got uncommonly nasty down the home stretch in comparison to earlier in the campaign. I did not mean to suggest a comparison to all other races but to the earlier period.

My point was to simply state, as Professor DeLeon does in his analysis of the exit poll results in 2005, that there is no evidence that, at least as it relates to the top tier candidates, RCV reduces negative campaigning. The 2002 ballot argument states that "Previous runoff elections have seen excessive negative campaigning and 'hit' pieces. Such mudslinging is common when the field is reduced to two candidates, and candidates can win by attacking their lone opponent rather than attracting voters." The point I make about ranked choice voting is simply that despite the promises of its proponents, RCV only appears to discourage negativity against those lower in the rankings and/or before the candidate ordering becomes more clear.

If Professor DeLeon wants to count this as "at least half a point" in favor of RCV, for whatever reason, great. I was surprised to find myself characterized as "regretful" about the negativity of the campaign. The political science literature on negative campaigns is mixed – some scholars argue that voters get better information through attack ads, others that negativity turns off voters and dampens turnout. I leave that to folks far smarter than me to sort out – I'm agnostic on how to "score" this.

### 5. Ranked choice voting and "majority rule"

In the final section of my piece, I write about the complicated political mandates that might emerge from close ranked choice elections. I make four statements:

- "In 15 of the 18 ranked-choice contests held so far in San Francisco, the winning candidate did not receive a majority of the votes cast. Mayor Ed Lee only appeared on 43.9 percent of ballots. Sheriff-elect Ross Mirkarimi appeared on 46.9 percent. Their "majorities" were secured in relation to their



nearest competitors and rested upon on tens of thousands of ballots that were eliminated early in the counting rounds because they did not include second or third choices. These elections did not simulate a majority runoff."

- "All of the winners on election night received the legal mandate to govern."
- "It is likely, given the margin of victory, that the vast majority of voters will see these outcomes as legitimate (unlike what appears to have happened in Oakland, where a mayor who did not win a majority now faces a lack of support)."
- And, "particularly for a mayor, there is an advantage to securing a majority electoral coalition when it comes time to govern... The jury remains out on whether ranked-choice voting facilitates this."

I had to reread my own piece after reading Professor DeLeon's astonishingly intemperate and wildly inaccurate interpretations of what I actually wrote. There was insufficient space to fully develop each of these points in print, so I appreciate the opportunity to explain them further and clear up any confusion, but I am surprised by Professor DeLeon's caricature of those four statements and concluding ad hominem argument.

He first claims that I do not "accept the charter language defining a 'majority' winner under RCV as the candidate receiving a majority of continuing votes." Presumably my first statement that "all of the winners on election night received the legal mandate to govern" suggests my acceptance of the charter language. *Every one* of the 56 winners of ranked choice elections in the bay area legitimately won their races. Every one.

Then, Professor DeLeon repeats the meme that "For Cook, a 'majority' (in so many words) is at least 50 percent plus one of total votes cast in a given election, and that is that, no matter how many more votes might be cast for the winner in the typically high-turnout November RCV elections than in the typically low-turnout December runoff elections."

Actually, I am just referring again to the proponents' ballot argument, which reads that it "fulfill(s) the goal of *electing majority winners* without the inconvenience of a second election. The 'instant' runoff works much like December's 'delayed' runoff. Voters indicate their favorite candidate, just like now...By doing it in one election, we produce winners *who have a majority of the vote* and save millions of tax dollars" (italics mine). I was making the quite simple mathematical point that in the majority of cases, the winners do not "have a majority of vote", *but rather have the majority of continuing ballots*. I make no predictions about whether Ed Lee, George Gascon, or Ross Mirkarimi would have received more or less votes in December had there been a runoff in place, as I don't presume to know whether this year would be like the seven times that turnout declined between November and December or the three that it increased during the past 35 years. But I do know that Ed Lee received the least votes of any elected mayor at least since 1975. He was a top three choice of less than 100,000 voters. No other mayor in 35 years, elected by RCV or two stage runoff, won with less than 100,000 votes.

Next, he accuses me of "(denying) governing legitimacy to majority winners under current RCV", and taking a "gratuitous swipe at Oakland's new mayor, Jean Quan, challenging the legitimacy of her election."

Despite the intentionally explosive language, I most certainly do not deny the legitimacy of those elected under RCV or challenge the legitimacy of Jean Quan's election. I was in fact arguing the opposite. Jean Quan was legitimately elected mayor of Oakland. She won the election because she was preferred by those who voted in the election. My analysis of ballot image data show that she was the Condorcet winner in the race: she was preferred one-on-one to every candidate in the race. I have repeated this time and again over the past year in many different contexts and media. In a blog post for SPUR before the election, I wrote "Though (Don Perata) led the first place tally by 9 percentage points, he appeared on 8 percent fewer ballots than Jean Quan. Head to head, she was preferred to him. It wasn't a fluke, she wasn't lucky. She was preferred by voters."

Rather, the point that I made was that it is my sense that a not insignificant number of Oakland residents do not view her election as having been legitimate. The misconception that her victory was somehow tainted or the result of superior gamesmanship of the voting system, is, in my opinion startlingly common. To be fair, my analysis rests on purely qualitative rather than quantitative data. But even a cursory review of newspaper articles, local political blogs, the statements of those collecting signatures for the recall effort, or even simple conversations with my neighbors in Oakland convinces me that a segment of the population does not agree with Professor DeLeon and me about the legitimacy of her election. Heck, just a couple of weeks ago, an article in the Laney College paper says "Many people feel that Quan was not elected fairly." Partly, I think that was the result of the long delay between the announcement of first place votes on Tuesday night and the ranked choice tally on Friday. In fact, Mayor Quan made this *exact* point in a panel we were on together a few weeks ago.

Unfortunately, Professor DeLeon does not address the central argument I am making in this section, that "the jury remains out" whether ranked choice contests are more or less effective in conferring a working governing mandate than other voting systems. I would argue that Mayor Quan would have been better off politically had she scored a victory in a head-to-head matchup with Perata. But that's not unique to RCV. When Oakland Mayor Ron Dellums won the June 2006 primary election with 50.2% of the vote (thus ending the race and precluding a typical November runoff between the top vote getters) a narrative emerged that he had "narrowly won". In fact, he was 18 points ahead of his nearest competitor. He would have been better off winning 60-40 in the runoff and building more political capital, in my estimation. As I wrote, particularly for a mayor, there is an advantage to securing a majority electoral coalition when it comes time to govern, and the bigger the better. Mayors will undoubtedly engage the electorate again – whether in contesting charter amendments, bond measures, and statutory propositions, endorsing sympathetic candidates, or in her or his re-election. I suspect that at least in some cases, victorious candidates would have been better served had they achieve a majority of support of those coming to the polls rather than a majority of continuing ballots. I regard this as an open empirical question and have discussed precisely this issue with several colleagues over the years with no simple resolution, thus my safe conclusion that "the jury remains out."

Disappointingly, Professor DeLeon concludes his critique with his judgment that my "assessment of RCV would be more credible as a fair and objective analysis if (I) had actually acknowledged and engaged those who offer other perspectives on these issue." This is both a specious and wildly inaccurate claim. Professor DeLeon is certainly correct that as my article was a short opinion piece, I did not explicitly include the perspectives of activists on either side of the electoral reform debate and find them very capable of articulating their own views. Rather, my intent was to offer my nuanced perspective that raised questions rather than answered them. I look forward to a robust and objective discussion of these important issues in keeping with Professor DeLeon's previous call for such analysis.

<http://spur.org/publications/library/article/ranked-choice-voting>

Once published, Prof. Rich DeLeon previously of SFSU, cried foul and requested space to pick apart Prof. Cook's observations. DeLeon, a self-described RCV advocate has co-authored papers with FairVote, the group that lobbies for RCV. His "equal time" to counter Prof. Cook's analysis shows his bias. It is much akin to the Oil Company funding research to report "Global Warming" is not caused by fossil fuels. Prof. DeLeon has been known to remove data that does not support his views to make the results look better.

DeLeon's attack of Prof. Cook's analysis is common among RCV salesmen and makes sweeping claims. You can read it here:

**Mary Midura**

---

**From:** Mary Midura  
**Sent:** Tuesday, January 17, 2012 7:51 AM  
**To:** Mary Midura  
**Subject:** FW: Groundbreaking RCV Voter Usability Study  
**Attachments:** Initial observations and insights about ranked choice voting from a flash usability test  
CivicDesign.pdf; ATT00001.htm; pastedGraphic.pdf; ATT00002.htm; pastedGraphic\_1.pdf;  
ATT00003.htm; pastedGraphic\_2.pdf; ATT00004.htm; pastedGraphic\_3.pdf; ATT00005.htm

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**From:** Terry Reilly [<mailto:twreilly@gmail.com>]  
**Sent:** Wednesday, January 11, 2012 12:57 PM  
**To:** Mary Midura  
**Subject:** Groundbreaking RCV Voter Usability Study

PLEASE PROVIDE TO CHARTER COMMISSION AS PUBLIC COMMENT

Dana Chisnell (<http://civicdesigning.org/about/>) a nationally known elections design expert and member of the Brennan Center for Justice's ballot design task force recently completed a groundbreaking study in San Francisco and Oakland to gauge how voters understood Ranked Choice Voting Ballots. The report is attached, linked [HERE](#) and shown below.

# Initial observations and insights about ranked choice voting from a flash usability test

January 09, 2012

## Author

Dana Chisnell

## Tags

ballot design  
flash usability test  
testing ballots  
testing systems  
usability

No Comments

## Background and participants

Our convenience sample was intercepted from people who were in proximity, were willing to spend 15-20 minutes with us, and who were positively inclined toward people asking them to help us learn about ballot design. We had 40 participants in 6 locations.

Participants voted on the Alameda County demonstration ballot and the Portland, Maine ballot from 2011. We alternated which ballot participants got first.

Most participants were active voters:

- 20 participants said they voted in November 2011.
- 9 last voted in 2010.
- 7 last voted in the presidential election in 2008.
- 1 last voted in 2009.
- 1 was registered but did not provide data about when he last voted.
- 2 were not registered to vote.

The youngest participant was 19. The oldest was 84. The average age was 43.

## Highlights

- These participants took voting seriously; many said they prepare ahead, but some said they don't.
- Voters don't read instructions (hence, voter education is probably not the only

[Return to blog](#)

answer). It's unclear that reading the instructions for ranked choice voting would help people vote as they intend, because the instructions are only about how to mark the ballot, not about how the votes are counted or what the consequences of ranking are. In addition, the instructions and explanation of ranked choice voting are separate from the ballot or too far away from where and how voters make their ranking decisions.

- Design did help in conveying the behavior needed – that is, the Maine ballot was more suggestive of the activity of ranking choices than the Alameda one was. At least one person used the Maine ballot as a worksheet, and hoped that by doing so she wasn't invalidating her vote. Here's what happened:

1. Marked the names of people she definitely didn't want to vote for (referencing the sheet with position statements)
2. Made little 1,2,3 marks for the ones she wanted to rank that way
3. Voted according to her marks
4. Used the instructions on the right hand side rather than the ones at the top, and was annoyed to later notice that they were incomplete (missing the write-in part)

**Note:** This participant voted by mail last time.

- The design of the Maine ballot worked so well to suggest ranking, that participants thought they had to rank all of the candidates.
- Several participants marked the Alameda ranked choices down the columns rather than across the contests. When we asked them about this, some portion of those voters admitted that they hadn't realized at first that the rankings went across. We don't know yet whether participants were more likely to navigate this way if they voted the other side first.
- Testers reported that participants said they were using the lowest rankings (10-15) on the Maine ballot to register their disapproval of the candidate.
- It was not uncommon for participants to describe their #3 choice on the Alameda ballot as "throw-away."
- Many participants marked only 1 or 2 choices.
- Some participants remarked that because they didn't understand how the votes were counted that they didn't trust the system. Others said that even though they didn't understand exactly how votes were counted that they trusted that election officials to count votes appropriately. We'll look more closely at how many people expressed these opinions and whether there's any effect for age, race, zip code, or voting history.
- Very few people accurately described how ranked choice votes are counted, even in zip codes with high education and socio-economic levels; people in

poorer neighborhoods had even more difficulty describing how their ranked choices were counted. Most of these participants had voted in the most recent election. In Rockridge, most of the participants said they'd voted in the Oakland mayoral election in 2010. One participant in Oakland was a congressional aide who was tentative about his understanding of how ranked choice voting worked.

- Many participants, who did describe the counting process accurately, weren't confident in their knowledge.
- Many participants theorized that ranked choice operates on a weighted or point system. A few participants suggested that it was for breaking ties, but they could not describe how the second place votes were tallied. It was not uncommon for participants to talk themselves into corners as they tried to describe how the counting was done. Most ended with "I don't know."
- Participants voted counter to their intentions with ranked choice voting. For example, with the Maine ballot, a few teams reported that participants chose the "worst" candidates and ranked them last. They shouldn't have ranked them at all.
- Some participants were put off when they learned how the counting worked. As one team lead said, participants said ranked choice voting seemed almost undemocratic to them. Several people had visceral negative reactions. As soon as he saw the ballot, one participant remarked, "I **hate** ranked choice voting!"
- A few participants marked the ballots incorrectly, including people who said they were active voters — though intent was usually clear.

I plan to do another, follow-up study in which we have people vote ranked choice. The idea is to show participants a tested description of how their rankings are counted, and have them say in their own words how counting works, and then have them vote again with this new knowledge.

Here are images of the ballots we used. One was a demonstration ballot provided by Alameda County. The other was two pages of the Portland, Maine ballot from November 2011.

Official Ballot  
General Municipal Election  
Alameda County, California  
November 8, 2011

**INSTRUCTIONS TO VOTERS**

1. To vote, mark your ballot by writing the number of your choice in the circle next to the name of the candidate.
2. To vote for more than one candidate, write the number of your choice in the circle next to the name of the candidate.
3. To vote for a candidate, write the number of your choice in the circle next to the name of the candidate.

**Mayor**

Patricia Williams	David Lee
Patricia Williams	David Lee

**Board of Supervisors**

Patricia Williams	David Lee
Patricia Williams	David Lee

**Board of Education**

Patricia Williams	David Lee
Patricia Williams	David Lee

**School Districts**

Patricia Williams	David Lee
Patricia Williams	David Lee

PLEASE CONTINUE VOTING ON OTHER SIDE

[illegible][illegible][illegible]

**Official Ballot**  
**General Municipal Election**  
**Bar Harbor, Maine**  
**Packard Island**  
**November 2, 2011**

11/02/2011  
 11:00 AM  
 01/00000001

**INSTRUCTIONS TO VOTERS**

- A. By using the number on the ballot, mark the name of the person you wish to vote for.
- B. Mark the name of the person you wish to vote for by writing the name in the space provided.
- C. Mark the name of the person you wish to vote for by writing the name in the space provided.
- D. Mark the name of the person you wish to vote for by writing the name in the space provided.

**Ketchikan Board**  
**All Large**

**Mayor, Treasurer &  
 Council Members**

**Bar Harbor Mayor**  
**Bar Harbor Council**

**Mayor, Treasurer &  
 Council Members**

**Packard Island Council**

**Mayor, Treasurer &  
 Council Members**

**Packard Island Council**

**Mayor, Treasurer &  
 Council Members**

**Casco Bay Line**  
**Director**

**Great Ocean Island**  
**Director**

**Casco Bay Line**  
**Director**

**Great Ocean Island**  
**Director**

**Casco Bay Line**  
**Director**

**Great Ocean Island**  
**Director**

**PLEASE CONTINUE VOTING ON OTHER SIDE**



**THE UNIVERSITY OF CHICAGO**

[illegible]

- 一、**總論**  
 二、**本國之經濟狀況**  
 三、**外國之經濟狀況**  
 四、**經濟學之原理**  
 五、**經濟學之應用**  
 六、**經濟學之未來**  
 七、**經濟學之結論**  
 八、**經濟學之附錄**  
 九、**經濟學之索引**  
 十、**經濟學之參考書**  
 十一、**經濟學之圖表**  
 十二、**經濟學之公式**  
 十三、**經濟學之實驗**  
 十四、**經濟學之實習**  
 十五、**經濟學之測驗**  
 十六、**經濟學之考試**  
 十七、**經濟學之論文**  
 十八、**經濟學之報告**  
 十九、**經濟學之討論**  
 二十、**經濟學之總結**

1. 研究對象：本研究所選取之對象為在臺南地區之各級中學及小學之學生，共計 100 名。

2. 研究工具：本研究採用之研究工具為「臺南地區各級中學及小學學生之學習態度調查表」，該調查表係由本研究小組根據文獻資料及專家意見所編製而成。

3. 研究程序：本研究之研究程序如下：

- (1) 研究動機與目的之確立
- (2) 研究對象之選定
- (3) 研究工具之編製
- (4) 研究工具之信度與效度之檢驗
- (5) 資料之收集與整理
- (6) 資料之分析與解釋

4. 研究結果：本研究之研究結果顯示，臺南地區各級中學及小學學生之學習態度，整體而言，尚屬良好。但在某些方面，仍有待改進。例如，在「學習動機」方面，部分學生之學習動機較為薄弱，需要進一步之激勵。

5. 研究結論：本研究之研究結論如下：

- (1) 臺南地區各級中學及小學學生之學習態度，整體而言，尚屬良好。
- (2) 在「學習動機」方面，部分學生之學習動機較為薄弱，需要進一步之激勵。
- (3) 在「學習策略」方面，部分學生之學習策略較為單一，需要進一步之指導。
- (4) 在「學習環境」方面，部分學生之學習環境較為單一，需要進一步之改善。

6. 研究建議：本研究之研究建議如下：

- (1) 學校應加強對學生之學習動機之激勵，例如，可透過舉辦各種競賽、展覽等活動，以激發學生之學習興趣。
- (2) 學校應加強對學生之學習策略之指導，例如，可透過舉辦各種講座、工作坊等活動，以指導學生之學習策略。
- (3) 學校應加強對學生之學習環境之改善，例如，可透過改善教學設備、增加教學資源等，以改善學生之學習環境。

7. 研究限制：本研究之研究限制如下：

- (1) 本研究之研究對象僅限於臺南地區之各級中學及小學學生，因此，其研究結果之代表性可能有限。
- (2) 本研究之研究工具僅為「臺南地區各級中學及小學學生之學習態度調查表」，因此，其研究結果之信度與效度可能有限。

8. 研究展望：本研究之研究展望如下：

- (1) 未來可進一步擴大研究對象之範圍，以增強研究結果之代表性。
- (2) 未來可進一步改進研究工具，以提高研究結果之信度與效度。

NEED TO GO TO THE COURT

[illegible]

**Mary Midura**

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**From:** Terry Reilly [twreilly@gmail.com]  
**Sent:** Tuesday, January 17, 2012 2:53 PM  
**To:** Mary Midura  
**Cc:** David P. Stevens; Gail L. Perlman; Madeline Weaver Blanchette; Marc Warner (marc@warnertransportation.com); Megan Murphy Wolf; Richard Greene; Stephen McGoldrick; Thomas Miranda; Todd Thompson (tkthompson@yahoo.com); William Scher  
**Subject:** Telluride considers getting rid of RCV  
**Attachments:** Telluride wants to Ditch IRV.pdf; ATT00001.htm; telluride election results 2011.pdf; ATT00002.htm

You may be interested to know that Telluride is looking to get rid of it after trying it once.

The mayoral election had less than 739 voters. They spent an addition \$10,000 on RCV or more than \$13.53 per voter, not including 100+ hour of uncompensated overtime.

# the WATCH

TELLURIDE  
& MTN.VIL

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RIDGEWAY

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adventure  
GUIDEWATCH:  
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## TELLURIDE BRIEFS

### Council Disagrees on Future of Instant Runoff Voting

by Gus Jarvis

Jan 15, 2012 | 157 views | 0 comments | 1 likes | 0 shares

TELLURIDE – After expressing disagreement over Telluride's Instant Runoff Voting system at a council work session on Tuesday, members of the Telluride Town Council ultimately proposed no changes and decided, so far, to keep the municipal voting system as it is.

Instant Runoff Voting was enacted by voters by ballot initiative four years ago. It is used in mayoral elections where voters are asked to vote for their second choice if there are more than two candidates on the ballot. That second choice is only counted if a clear majority, defined as 50 percent of the voters plus one vote, is not achieved in the first round of voting.

Last November's mayoral election was the first time town election staff had to prepare for the use of IRV, but with Mayor Stu Fraser taking 60 percent of the vote, it ultimately was not used.

On Tuesday, Town Clerk MJ Schillaci briefed council with a memo on what the implications were to implement the system, particularly the costs associated with it. Schillaci in her memo stated IRV accounted for at least \$10,000 in additional election costs to the town.

During the discussion, Councilmember Thom Carnevale thanked Schillaci's department for running an "incredible" election and that while he's heard talk that council should ultimately do away with IRV, he believes that if it should be killed, that process should be started by citizens in the form of a ballot initiative – the same way it was enacted.

"It went to a vote of the people and 67 percent of the people supported the initiative," Carnevale said. "If someone out there wants to eliminate this, they can petition, get signatures and then bring it to a vote. I don't see, at the moment, that we should take direct action on this."

Mayor Stu Fraser disagreed. "I still believe very strongly we can get rid of it," Fraser said. "Every person I talked to [leading up to the election] raised the issue of why we are doing this. I feel testing something for 16 years seems excessive. I learned the public had a real problem with it, and I would assume that we could have two readings of an ordinance and do away with it."

It seemed most members who spoke during the discussion disagreed with Fraser's sentiment, and no direction was given to town staff to further review IRV.

### COUNCIL CONSIDERS FUNDING SUMMER AIRLINE PROGRAM

While the Telluride Town Council didn't officially approve the redirection of already-pledged funds from the 2011 Telluride Montrose Regional Air Organization's winter airline guarantee program to the 2012 summer airline guarantee program on Tuesday, council did agree to review the request when a formal plan is presented to them.

Last year, council approved a TMRAO funding request in the amount of \$50,000 to go toward its winter airline guarantee program.

The loss of commercial service from US Airways last fall, coupled with other reductions in non-guaranteed flights into Montrose Regional Airport, resulted in the organization suffering a decline of approximately 20 percent in seats for the winter season.

TMRAO used approximately 25 percent of the funds it collected for the winter program from the Town of Telluride equaling about \$12,750. TMRAO Executive Director Scott Stewart attended Tuesday's council meeting to ask if the remaining \$37,250 of those already-pledged funds should be used for the summer airline guarantee program, and for winter marketing.

Some members of council expressed concern about using the funds for any marketing purposes,

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Draft Watershed Plan to Be Unveiled Thursday

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#2 STORY OF 2011

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#3 STORY OF 2011

Uranium Exploration and Processing on the West End Advances and Is Set Back

but all generally agreed they would be willing to pledge the money toward a summer airline guarantee program if a detailed plan is presented to them.

"I believe what you are hearing from us," Mayor Stu Fraser told Stewart, "is that we want guaranteed seats in the summertime, and we want a plan to support that."

It is unclear when Stewart will present such a plan to council.

#### TELLURIDE MOVES FROM TWO PRECINCTS TO ONE

With little discussion during Tuesday's public hearing, the Telluride Town Council unanimously adopted the second reading of an ordinance that places all municipal voters into one precinct rather than two.

According to a staff memo, the one, all-encompassing voting precinct will eliminate a considerable amount of confusion for voters who may not know what precinct they live in. At the most recent municipal election, town staff consolidated the polling places for both precincts at Rebekah Hall, and it was deemed successful, as there was space for a sufficient number of voting booths serving both precincts. Both voters' and judges' comments were favorable on the consolidation.

By operating one polling location, the town will achieve a small cost savings. The number of precinct judges is reduced, as well.

#### TELLURIDE BRIEFS

Council Disagrees on Future of Instant Runoff Voting" addthis:description="Tuesday's council meeting included discussions on funding a summer airline guarantee program, instant runoff voting, and making Telluride a one-precinct town. ">Share This Article **TELLURIDE BRIEFS**

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Council Disagrees on Future of Instant Runoff Voting" addthis:description="Tuesday's council meeting included discussions on funding a summer airline guarantee program, instant runoff voting, and making Telluride a one-precinct town. "> **TELLURIDE BRIEFS**

Council Disagrees on Future of Instant Runoff Voting" addthis:description="Tuesday's council meeting included discussions on funding a summer airline guarantee program, instant runoff voting, and making Telluride a one-precinct town. "> **TELLURIDE BRIEFS**

Council Disagrees on Future of Instant Runoff Voting" addthis:description="Tuesday's council meeting included discussions on funding a summer airline guarantee program, instant runoff voting, and making Telluride a one-precinct town. ">

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The Watch Newspapers - News, Sports, Weather, Classifieds, Local Events and Businesses in Telluride, Ridgway, Ouray, and Norwood Colorado, as well as the Communities of the Western San Juans in Telluride, CO

Abstract of Votes Cast and Statement and Certificate of Determination at a Regular Election held in Telluride, Colorado  
 on 8 Day of NOVEMBER 20 11.  
 (Regular—Special) (City or Town)  
 SEE OTHER SIDE FOR DISTRIBUTION AND USE

NAMES OF CANDIDATES OR PROPOSITIONS	OFFICE VOTED FOR	NUMBERS OF WARDS AND PRECINCTS AND VOTES CAST IN EACH										Absent Voter Precinct	Total No. of Votes Cast
		1	2	Avalanche	How								
Stu Fraser	MAYOR	91	56	276	23								446
David F. Oyster	MAYOR	11	11	50	2								74
CHARIS MYERS	MAYOR	27	29	149	14								219
Thom Carnevale	Town Council	89	62	323	22								496
Robert A. Coe	Town Council	15	6	47	6								74
Kristen Permaroff	Town Council	39	39	150	10								238
Eileen McGinley	Town Council	32	23	141	6								202
Benjamin SteenBlik	Town Council	25	14	60	8								107
Mark Buchsieb	Town Council	34	31	149	13								227
Jeray Greene	Town Meeting Mod	111	72	333	30								546

STATE OF COLORADO, } We, the undersigned Canvassers of the Election Returns of the Election held in Telluride, in the State of Colorado,  
 County of San Miguel } ss. on Tuesday the Eighth day of November, 20 11, for the  
Mayor, Town Council(2) and Town Meeting Moderator

do hereby certify that the above and foregoing is a true and correct abstract of the votes cast at said election, as shown by the returns from the several voting precincts in said

Telluride, Colorado

WITNESS our hands and seal this 14th day of November, 20 11

By Mary Johnson Clerk

By Stacy Jensen Deputy

Mary Johnson Clerk

Stacy Jensen Deputy  
 Canvassing Board Official

<http://spur.org/blog/2012-01-06/defense-ranked-choice-voting>

Fortunately, Prof. Cook was afforded a chance to respond to DeLeon's screed. Prof. Cook takes this opportunity to thoroughly discredit DeLeon's claims. Prof. DeLeon is entitled to his own opinion, but not his own facts.

<http://spur.org/blog/2012-01-06/trouble-ranked-choice-voting>

It should be noted the turnout of those voters who participated in the runoff election was 30.5% (141,617 voters of 464,380 registered), rather than the 42.5% mistakenly reported by Prof. DeLeon.

<http://www.sfelections.org/results/20111108/data/mayor.html>

Though these are long reads, they are well worth the effort and highlights the misinformation RCV supporters spread.

Best Regards,

Terry

<http://spur.org/publications/library/article/ranked-choice-voting>

# From the Desk of Terry Reilly

December 13, 2011

Northampton Charter Drafting Committee  
c/o Mary Midura  
210 Main Street Rm 16  
Northampton, MA 01060

Dear Northampton Charter Drafting Committee,

I noticed your Committee is interested in learning about Instant Runoff Voting (aka Ranked Choice Voting). It is a complex, and often misunderstood topic and these articles might as well get up to speed.. If you do not have the ability to copy the DVD - (it is simply a .mov file) let me know and I will provide additional copies.

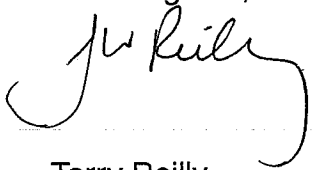
Background - I am a former Chair of the City of San José's Campaign Review and Ethics Board (now called the Elections Commission). San José studied RCV for the past three years. I found it was very difficult to get information Ranked Choice Voting, other than what was produced by the National Lobby - FairVote. Knowing San Jose should not make a decision in a vacuum, I took it upon myself to gather information and news reports from various cities that have experimented with RCV. I have provided this to you. FYI - After the extensive 3 year study, San José chose not to pursue RCV.

This document begins with a article from Sept, 2009 that showed survey results from 90,000 voters in Pierce County WA - the largest survey ever done on RCV. This document will take you over the next two years to the present day, and in it, you will see how RCV evolves in many cities. Pierce County, ultimately repeals RCV, as does Burlington VT, and Aspen CO. Cary, NC takes a pass after trying RCV for one election, and Glendale, AZ, Fort Collins, CO and the UK vote RCV down my large margins. Las Vegas' Council decides to not consider RCV because the Councilman supporting the motion could not explain it properly and had to ask for an expert.

You will read about the topsy-turvy effect in Oakland which elected Jean Quan who has only ~25% support in 1st place votes. Through a side-deal she made with another candidate, she surpassed the candidate who was 10% ahead of her in the first count. People in Oakland are scratching their heads, and now she is a subject of two recalls. It ends with articles and analysis of San Francisco's recent Mayoral election. Reports of confusion in specific ethics neighborhoods by University of San Francisco, and that Supervisors are winning with only 24% support has led to a movement to repeal RCV in San Francisco.

You will also find an extensive IRV Pro/Con presentation made by San José City Clerk Lee Price MMC to the League of Women Voters. Price, a recognized expert on RCV, she is often called to present Pros/Cons and education material to Clerk Associations Conferences.

Best Regards,

A handwritten signature in cursive script, appearing to read "Terry Reilly", written in dark ink.

Terry Reilly